



General Assembly

Substitute Bill No. 5758

February Session, 2006

* HB05758LAB__042406__ *

**AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION
STATUTES.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 10-220h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2006*):

3 When a student enrolls in a school in a new school district, the new
4 school district shall provide written notification of such enrollment to
5 the school district in which the student previously attended school.
6 The school district in which the student previously attended school (1)
7 shall transfer the student's education records to the new school district
8 no later than ten days after receipt of such notification, and (2) if the
9 student's parent or guardian did not give written authorization for the
10 transfer of such records, shall send notification of the transfer to the
11 parent or guardian at the same time that it transfers the records. In the
12 case of a student who transfers from Unified School District #1, the
13 unified school district shall transfer the records of the student to the
14 new school district which shall, not later than thirty days after
15 receiving the student's education records, credit the student for all
16 instruction received in Unified School District #1.

17 Sec. 2. Subsection (d) of section 10-220a of the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective July*
19 *1, 2006*):

20 (d) The Department of Education may fund, within available
21 appropriations, in cooperation with one or more regional educational
22 service centers: (1) A cooperating teacher program to train Connecticut
23 public school teachers and certified teachers at private special
24 education facilities approved by the Commissioner of Education and at
25 other facilities designated by the commissioner, who participate in the
26 supervision, training and evaluation of student teachers; (2) institutes
27 to provide continuing education for Connecticut public school
28 educators, assessors and cooperating teachers and teacher mentors,
29 including institutes to provide continuing education for Connecticut
30 public school educators offered in cooperation with the Connecticut
31 Humanities Council; and (3) a beginning teacher support and
32 assessment program to train Connecticut public school teachers and
33 other qualified persons approved by the Commissioner of Education
34 and certified teachers at such private special education and other
35 designated facilities who serve as mentors or assessors for beginning
36 teachers and who supervise, train and assist or assess beginning
37 teachers in their initial years in teaching and to pay stipends to
38 assessors. Funds available under this subsection shall be paid directly
39 to school districts for the provision of substitute teachers when
40 cooperating teachers, teacher mentors, beginning teachers and
41 assessors are released from regular classroom responsibilities and for
42 the provision of professional development activities for cooperating
43 and student teachers, teacher mentors, assessors and beginning
44 teachers. The cooperating teacher and beginning teacher support and
45 assessment programs shall operate in accordance with regulations
46 [which shall be] adopted by the State Board of Education [pursuant to]
47 in accordance with chapter 54, except in cases of placement in other
48 countries pursuant to written cooperative agreements between
49 Connecticut institutions of higher education and institutions of higher
50 education in other countries. A Connecticut institution may enter such
51 an agreement only if the State Board of Education and Board of
52 Governors for Higher Education have jointly approved the institution's
53 teacher preparation program to enter into such agreements. Student
54 teachers shall be placed with trained cooperating teachers. Beginning

55 teachers shall participate in a beginning teacher support and
56 assessment program as made available by the board. School districts
57 shall be responsible for providing support to beginning teachers which
58 shall include, but not be limited to, the placement of beginning
59 teachers with trained teacher mentors who may be full or part-time
60 teachers in the same or a different building than the beginning teacher
61 and provision of trained assessors to conduct assessments of beginning
62 teachers. Cooperating teachers, teacher mentors and assessors may
63 serve concurrently in more than one capacity and may be assigned
64 more than one student teacher or beginning teacher in each such
65 capacity. The assessment of each beginning teacher shall be based
66 upon, but not limited to, data obtained from observations conducted
67 by assessors using an assessment instrument. A beginning teacher
68 shall be assessed by educators with teaching experience in the same
69 general subject area as such beginning teacher. Cooperating teachers
70 and teacher mentors who are Connecticut public school teachers and
71 assessors who are employed by school districts shall be selected by
72 local and regional boards of education. Cooperating teachers and
73 teacher mentors and assessors at such private special education and
74 other designated facilities shall be selected by the authority responsible
75 for the operation of such facilities. If a board of education is unable to
76 identify a sufficient number of individuals to serve in such positions,
77 the commissioner may select qualified persons who are not employed
78 by the board of education to serve in such positions. Such regulations
79 shall require primary consideration of teachers' classroom experience
80 and recognized success as educators. The provisions of sections 10-
81 153a to 10-153n, inclusive, shall not be applicable to the selection,
82 placement and compensation of persons participating in the
83 cooperating teacher and beginning teacher support and assessment
84 programs pursuant to the provisions of this section and to the hours
85 and duties of such persons. The State Board of Education shall protect
86 and save harmless, in accordance with the provisions of section 10-235,
87 any cooperating teacher, teacher mentor or assessor while serving in
88 such capacity.

89 Sec. 3. Subdivision (1) of subsection (c) of section 10-145b of the 2006
90 supplement to the general statutes is repealed and the following is
91 substituted in lieu thereof (*Effective July 1, 2006*):

92 (c) (1) The State Board of Education, upon request of a local or
93 regional board of education, shall issue a temporary ninety-day
94 certificate to any applicant in the certification endorsement areas of
95 elementary education, middle grades education, secondary academic
96 subjects, special subjects or fields, special education and
97 administration and supervision when the following conditions are
98 met:

99 (A) The employing agent of a board of education makes a written
100 request for the issuance of such certificate and attests to the existence
101 of a special plan for supervision of temporary ninety-day certificate
102 holders;

103 (B) The applicant meets the following requirements, except as
104 otherwise provided in subparagraph (C) of this subdivision:

105 (i) Holds a bachelor's degree from an institution of higher education
106 accredited by the Board of Governors of Higher Education or
107 regionally accredited with a major either in or closely related to the
108 certification endorsement area in which the requesting board of
109 education is placing the applicant or, in the case of secondary or
110 special subject or field endorsement area, possesses at least the
111 minimum total number of semester hours of credit required for the
112 content area;

113 (ii) Has met the requirements pursuant to subsection (b) of section
114 10-145f;

115 (iii) Presents a written application on such forms as the
116 Commissioner of Education shall prescribe;

117 (iv) Has successfully completed a program of classroom
118 management and instructional methodology approved by the State

119 Board of Education and, within available appropriations, provided
120 under contract with an institution of higher education designated by
121 the Department of Higher Education, or has been accepted by a
122 program of a national corps of teachers who teach in low income
123 communities and has successfully completed a training institute for
124 the corps;

125 (v) Possesses an undergraduate college overall grade point average
126 of at least "B" or, if the applicant has completed at least twenty-four
127 hours of graduate credit, possesses a graduate grade point average of
128 at least "B"; and

129 (vi) Presents supporting evidence of appropriate experience
130 working with children or supporting evidence of participation in a
131 training institute for a program of a national corps of teachers who
132 teach in low income communities, which includes experience working
133 with children; and

134 (C) The Commissioner of Education may waive the requirements of
135 subparagraphs (B)(v) or (B)(vi), or both, of this subdivision upon a
136 showing of good cause.

137 Sec. 4. Subsection (d) of section 10-51 of the general statutes is
138 repealed and the following is substituted in lieu thereof (*Effective from*
139 *passage*):

140 (d) [Upon] (1) Prior to the effective date of this section, upon the
141 recommendation and the approval of a majority of members on the
142 board, a regional board of education may create a reserve fund to
143 finance a specific capital improvement or the acquisition of any
144 specific piece of equipment. Such fund shall thereafter be termed
145 "reserve fund for specific capital improvements or equipment
146 purchases". No annual appropriation to such fund shall exceed one per
147 cent of the annual district budget. Appropriations to such fund shall be
148 included in the share of net expenses to be paid by each member town
149 until the fund established pursuant to this subdivision is discontinued.
150 The board shall annually submit a complete and detailed report of the

151 condition of such fund to the member towns. Such fund may be
152 discontinued, after recommendation by the board and approval by the
153 board, and any amounts held in the fund shall be transferred to the
154 general fund of the district.

155 (2) On and after the effective date of this section, a regional board of
156 education, by a majority vote of its members, may create a reserve
157 fund for capital and nonrecurring expenditures. Such fund shall
158 thereafter be termed "reserve fund for capital and nonrecurring
159 expenditures". The aggregate amount of annual and supplemental
160 appropriations by a district to such fund shall not exceed one per cent
161 of the annual district budget for such fiscal year. Annual
162 appropriations to such fund shall be included in the share of net
163 expenses to be paid by each member town. Supplemental
164 appropriations to such fund may be made from estimated fiscal year
165 end surplus in operating funds. Interest and investment earnings
166 received with respect to amounts held in the fund shall be credited to
167 such fund. The board shall annually submit a complete and detailed
168 report of the condition of such fund to the member towns. Upon the
169 recommendation and approval by the regional board of education, any
170 part or the whole of such fund may be used for capital and
171 nonrecurring expenditures, but such use shall be restricted to the
172 financing of all or part of the planning, construction, reconstruction or
173 acquisition of any specific capital improvement or the acquisition of
174 any specific item of equipment. Upon the approval of any such
175 expenditure an appropriation shall be set up, plainly designated for
176 the project or acquisition for which it has been authorized, and such
177 unexpended appropriation may be continued until such project or
178 acquisition is completed. Any unexpended portion of such
179 appropriation remaining after such completion shall revert to said
180 fund. If any authorized appropriation is set up pursuant to the
181 provisions of this subsection and through unforeseen circumstances
182 the completion of the project or acquisition for which such
183 appropriation has been designated is impossible to attain the board, by
184 a majority vote of its members, may terminate such appropriation

185 which then shall no longer be in effect. Such fund may be
186 discontinued, after the recommendation and approval by the regional
187 board of education, and any amounts held in the fund shall be
188 transferred to the general fund of the district.

189 Sec. 5. (NEW) (*Effective from passage*) A regional board of education,
190 by a majority vote of its members, may create a reserve fund for
191 accrued liabilities for employee sick leave and severance benefits. Such
192 fund shall thereafter be termed "reserve fund for employee sick leave
193 and severance benefits". The aggregate amount of annual and
194 supplemental appropriations by a district to such fund in any one
195 fiscal year shall not exceed the actuarially recommended contribution
196 from the annual district budget for such fiscal year. No payments shall
197 be made to the fund which will cause the amount of such fund to
198 exceed the accrued liability for such employee benefits as determined
199 by the district's annual financial statements, except for the addition of
200 interest and investment earnings with respect to amounts held in the
201 fund. Annual appropriations to such fund shall be included in the
202 share of net expenses to be paid by each member town. Supplemental
203 appropriations to such fund may be made from estimated fiscal year
204 end surplus in operating funds. Interest and investment earnings
205 received with respect to amounts held in the fund shall be credited to
206 such fund. The board shall annually submit a complete and detailed
207 report of the condition of such fund to the member towns. Upon the
208 approval of the board, by a majority vote of its members, any part or
209 the whole of such fund may be used for the payment of employee sick
210 leave and severance benefits without further appropriation. Such fund
211 may be discontinued, after recommendation by the board and
212 approval by the board, and any amounts held in the fund shall be
213 transferred to the general fund of the district.

214 Sec. 6. (*Effective July 1, 2006*) The Department of Education shall,
215 within available resources review programs in other states for their
216 effectiveness in reducing the drop-out and suspension rates for those
217 students at risk of dropping out or being suspended from school. Not
218 later than January 1, 2007, the department shall report its findings to

219 the joint standing committee of the General Assembly having
220 cognizance of matters relating to education in accordance with the
221 provision of section 11-4a of the general statutes.

222 Sec. 7. (NEW) (*Effective from passage*) Notwithstanding any provision
223 of the general statutes, the Department of Education may develop and
224 maintain a web site without the aid of the Department of Information
225 Technology.

226 Sec. 8. Subsection (b) of section 4d-82 of the general statutes is
227 repealed and the following is substituted in lieu thereof (*Effective July*
228 *1, 2006*):

229 (b) The commission shall oversee the preparation and submission of
230 a state-wide application to the federal Universal Service Fund to
231 enhance connectivity to the Connecticut Education Network, maximize
232 participation and grant attainment rates, and reduce overly
233 burdensome administrative requirements which discourage local
234 involvement. [The commission shall prepare a feasibility report which
235 sets forth (1) a review of how and under what circumstances other
236 states have successfully submitted state-wide applications to the
237 Universal Service Fund, (2) an analysis of what should specifically be
238 incorporated into this state's application, and (3) an outline of
239 necessary actions to be taken by the commission for completion of a
240 state-wide Universal Service Fund application. The commission shall
241 work, in consultation with the Departments of Education and Higher
242 Education and the regional educational service centers, on the
243 feasibility report.] No later than [March 31, 2001] the annual federal
244 funding deadline, and for every subsequent universal service funding
245 cycle, the commission, or its designee, shall submit a state-wide
246 application for universal service funds. Each local and regional board
247 of education and public library that is designated by the commission
248 for connection to the Connecticut Education Network shall be deemed
249 to have authorized the commission or its designee to submit an
250 application for such funds on its behalf.

251 Sec. 9. Subdivision (2) of subsection (b) of section 10-186 of the
252 general statutes is repealed and the following is substituted in lieu
253 thereof (*Effective from passage*):

254 (2) Any such parent, guardian, emancipated minor, pupil eighteen
255 years of age or older, or agent or officer, aggrieved by the finding shall,
256 upon request, be provided with a transcript of the hearing within
257 thirty days after such request and may take an appeal from the finding
258 to the State Board of Education. A copy of each notice of appeal shall
259 be filed simultaneously with the local or regional board of education
260 and the State Board of Education. Any child, emancipated minor or
261 pupil eighteen years of age or older who is denied accommodations by
262 a board of education as the result of a determination by such board, or
263 a subcommittee of the board or local impartial hearing board, that the
264 child is not a resident of the school district and therefore is not entitled
265 to school accommodations in the district may continue in attendance in
266 the school district at the request of the parent or guardian of such child
267 or such minor or pupil, pending a determination of such appeal. If an
268 appeal is not taken to the State Board of Education within twenty days
269 of the mailing of the finding to the aggrieved party, the decision of the
270 board, subcommittee or local impartial hearing board shall be final.
271 The local or regional board of education shall, within ten days after
272 receipt of notice of an appeal, forward the record of the hearing to the
273 State Board of Education. The State Board of Education shall, on
274 receipt of a written request for a hearing made in accordance with the
275 provisions of this subsection, establish an impartial hearing board of
276 one or more persons to hold a public hearing in the local or regional
277 school district in which the cause of the complaint arises. Members of
278 the hearing board may be employees of the [state] Department of
279 Education or may be qualified persons from outside the department.
280 No member of the board of education under review nor any employee
281 of such board of education shall be a member of the hearing board.
282 Members of the hearing board, other than those employed by the [state
283 of Connecticut] Department of Education, shall be paid reasonable fees
284 and expenses as established by the State Board of Education within the

285 limits of available appropriations. Such hearing board may examine
 286 witnesses and shall maintain a verbatim record of all formal sessions of
 287 the hearing. Either party to the hearing may request that the hearing
 288 board join all interested parties to the hearing, or the hearing board
 289 may join any interested party on its own motion. The hearing board
 290 shall have no authority to make a determination of the rights and
 291 responsibilities of a board of education if such board is not a party to
 292 the hearing. The hearing board may render a determination of actual
 293 residence of any child, emancipated minor or pupil eighteen years of
 294 age or older where residency is at issue.

295 Sec. 10. Subsection (l) of section 5-198 of the 2006 supplement to the
 296 general statutes is repealed and the following is substituted in lieu
 297 thereof (*Effective from passage*):

298 (l) All members of the professional and technical staffs of the
 299 constituent units of the state system of higher education, as defined in
 300 section 10a-1, of all other state institutions of learning, of the
 301 Department of Higher Education, and of the agricultural experiment
 302 station at New Haven, professional and managerial employees of the
 303 [State Board] Department of Education and teachers certified by the
 304 State Board of Education and employed in teaching positions at state
 305 institutions.

306 Sec. 11. Section 10-239i of the general statutes is repealed and the
 307 following is substituted in lieu thereof (*Effective July 1, 2006*):

308 Each local and regional board of education, as may be designated by
 309 the Commissioner of Education, shall participate in the National
 310 Assessment of Educational Progress or in any other national or
 311 international measure of student progress as may be determined by
 312 the commissioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2006	10-220h

Sec. 2	<i>July 1, 2006</i>	10-220a(d)
Sec. 3	<i>July 1, 2006</i>	10-145b(c)(1)
Sec. 4	<i>from passage</i>	10-51(d)
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>July 1, 2006</i>	New section
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>July 1, 2006</i>	4d-82(b)
Sec. 9	<i>from passage</i>	10-186(b)(2)
Sec. 10	<i>from passage</i>	5-198(l)
Sec. 11	<i>July 1, 2006</i>	10-239i

ED *Joint Favorable Subst.*

JUD *Joint Favorable*

LAB *Joint Favorable*